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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,043	02/04/2004	Tzu-Feng Tseng	PMXP0184USA4	2042
27765	7590	11/16/2005		
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			EXAMINER GOODMAN, CHARLES	
			ART UNIT 3724	PAPER NUMBER
DATE MAILED: 11/16/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

6

Office Action Summary	Application No. 10/708,043	Applicant(s) TSENG, TZU-FENG	
	Examiner Charles Goodman	Art Unit 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-7 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1 and 3-7 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/10/05</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3724

DETAILED ACTION

1. The Amendment filed on 8/31/05 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 6 and 7 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Hill (GB 856,192) in view of Kammerling-Essmann (WO 97/34761).

Hill discloses a perforating, slitting, and creasing device comprising all the elements claimed including, inter alia, a blade (15) that appears to have a semi-circular end with a radius smaller than the thickness of the blade to the extent that the a blade for creasing would have "blunt" end and the blade shown in Fig. 4 does not appear to be defined by a sharp point. On the other hand, even with a sharp point, the point on a microscopic level is not un-rounded. It is rounded having a radius that is smaller than the thickness of the blade. This applies to claims 1, 3, and 7. However, if these points are argued, then Kammerling-Essmann teaches a stamping tool in which the blade (e.g. 6) has a semi-circular end (e.g. 4) having a radius that is smaller than or half the thickness of the blade, whereby such a "blunt" ended design allows for enhanced creasing of the work without cutting of the same. See e.g. Fig. 5d. Thus, it would have

Art Unit: 3724

been obvious to the ordinary artisan at the time of the instant invention to provide the device of Hill with the semi-circular end as taught and suggested by Kammerling-Essmann in order to facilitate enhanced creasing of the work. This applies to claims 1, 3, 6, and 7.

4. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hill (GB 856,192) in view of Kammerling-Essmann (WO 97/34761) as applied to claim 1 above, and further in view of Haddock (GB 1,302,305).

Hill, alone or modified, discloses the invention substantially as claimed except for the blade being fixed or non-rotatable. However, Kammerling-Essmann teaches that a fixed non-rotatable blade is an equivalent means of creasing the work. Note supra. Moreover and closer on point, Haddock teaches a creasing device in which the blade (e.g. 20B) is fixed and non-rotatable while the work is being creased/cut by relative motion between the platen (30) and the rule (18). Note e.g. Fig. 3. The combined teachings of Kammerling-Essmann and Haddock seems to suggest that using a fixed non-rotatable blade having a blunt end is an equivalent means of creasing the work via relative pressing movement, e.g. horizontal or vertical reciprocation. Thus, it would have been obvious to the ordinary artisan at the time of the instant invention to provide the normally rotating blade of Hill, alone or modified, to have the blade fixed and non-rotatable as taught and suggested by Kammerling-Essman and Haddock combined as an equivalent means of creasing the work.

Art Unit: 3724

Response to Arguments

5. Applicant's arguments with respect to claims 1 and 3-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Goodman whose telephone number is (571) 272-4508. The examiner can normally be reached on Monday-Thursday between 7:30 AM to 6:00 PM EST.

Art Unit: 3724

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap, can be reached on (571) 272-4514. In lieu of mailing, it is encouraged that all formal responses be faxed to **(571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

cg 
November 14, 2005


Charles Goodman
Primary Examiner
AU 3724

CHARLES GOODMAN
PRIMARY EXAMINER